



Sen. Terry Link

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09300HB3985sam001

LRB093 14721 BDD 50227 a

1 AMENDMENT TO HOUSE BILL 3985

2 AMENDMENT NO. _____. Amend House Bill 3985 as follows:

3 on page 1, by replacing line 5 with the following:

4 "Sections 21-225 and 22-15 as follows:"; and

5 on page 1, immediately below line 27, by inserting the
6 following:

7 "(35 ILCS 200/22-15)

8 Sec. 22-15. Service of notice. The purchaser or his or her
9 assignee shall give the notice required by Section 22-10 by
10 causing it to be published in a newspaper as set forth in
11 Section 22-20. In addition, the notice shall be served (i) in
12 all counties except Cook County, by a process server, as
13 provided in Section 2-202 of the Code of Civil Procedure, or
14 (ii) in all counties, by a sheriff (or if he or she is
15 disqualified, by a coroner) of the county in which the
16 property, or any part thereof, is located upon owners who
17 reside on any part of the property sold by leaving a copy of
18 the notice with those owners personally.

19 In counties of 3,000,000 or more inhabitants where a taxing
20 district is a petitioner for tax deed pursuant to Section
21 21-90, in lieu of service by the sheriff or coroner the notice
22 may be served by a special process server appointed by the
23 circuit court as provided in this Section. The taxing district

1 may move prior to filing one or more petitions for tax deed for
2 appointment of such a special process server. The court, upon
3 being satisfied that the person named in the motion is at least
4 18 years of age and is capable of serving notice as required
5 under this Code, shall enter an order appointing such person as
6 a special process server for a period of one year. The
7 appointment may be renewed for successive periods of one year
8 each by motion and order, and a copy of the original and any
9 subsequent order shall be filed in each tax deed case in which
10 a notice is served by the appointed person. Delivery of the
11 notice to and service of the notice by the special process
12 server shall have the same force and effect as its delivery to
13 and service by the sheriff or coroner.

14 The same form of notice shall also be served upon all other
15 owners and parties interested in the property, if upon diligent
16 inquiry they can be found in the county, and upon the occupants
17 of the property in the following manner:

18 (a) as to individuals, by (1) leaving a copy of the
19 notice with the person personally or (2) by leaving a copy
20 at his or her usual place of residence with a person of the
21 family, of the age of 13 years or more, and informing that
22 person of its contents. The person making the service shall
23 cause a copy of the notice to be sent by registered or
24 certified mail, return receipt requested, to that party at
25 his or her usual place of residence;

26 (b) as to public and private corporations, municipal,
27 governmental and quasi-municipal corporations,
28 partnerships, receivers and trustees of corporations, by
29 leaving a copy of the notice with the person designated by
30 the Civil Practice Law.

31 If the property sold has more than 4 dwellings or other
32 rental units, and has a managing agent or party who collects
33 rents, that person shall be deemed the occupant and shall be
34 served with notice instead of the occupants of the individual

1 units. If the property has no dwellings or rental units, but
2 economic or recreational activities are carried on therein, the
3 person directing such activities shall be deemed the occupant.
4 Holders of rights of entry and possibilities of reverter shall
5 not be deemed parties interested in the property.

6 When a party interested in the property is a trustee,
7 notice served upon the trustee shall be deemed to have been
8 served upon any beneficiary or note holder thereunder unless
9 the holder of the note is disclosed of record.

10 When a judgment is a lien upon the property sold, the
11 holder of the lien shall be served with notice if the name of
12 the judgment debtor as shown in the transcript, certified copy
13 or memorandum of judgment filed of record is identical, as to
14 given name and surname, with the name of the party interested
15 as it appears of record.

16 If any owner or party interested, upon diligent inquiry and
17 effort, cannot be found or served with notice in the county as
18 provided in this Section, and the person in actual occupancy
19 and possession is tenant to, or in possession under the owners
20 or the parties interested in the property, then service of
21 notice upon the tenant, occupant or person in possession shall
22 be deemed service upon the owners or parties interested.

23 If any owner or party interested, upon diligent inquiry and
24 effort cannot be found or served with notice in the county,
25 then the person making the service shall cause a copy of the
26 notice to be sent by registered or certified mail, return
27 receipt requested, to that party at his or her residence, if
28 ascertainable.

29 (Source: P.A. 91-209, eff. 1-1-00; 91-554, eff. 8-14-99.)".